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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Peter S.J. Cheetham et al.
Serial No. : 09/914,224
Filing Date : August 23, 2001
Examiner : Keith D. Hendricks
Group Art Unit : 1761
Entitled : FLAVOUR/AROMA MATERIALS AND THEIR
PREPARATION

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Our File No. 0380-P02653US0

Certificate of Mailing Under 37 C.F.R. §1.8(a):

I hereby certify that this correspondence is being deposited on July 16, 2003 with the United States Postal Service as first-class mail in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Janice M. Nightlinger

Janice M. Nightlinger

REQUEST FOR LISTING OF REFERENCES

A Notice of Allowance was issued June 3, 2003 in the above-identified patent application. Prior to paying the issue fee, applicants are submitting herewith a Form PTO-1449 listing references from the International Search Report (ISR) in PCT/GB00/00654, on which the present U.S. national stage application is based. A copy of the ISR (Form PCT/ISA/210) from the aforementioned PCT application is also submitted herewith.

It is respectfully requested that the references listed on the Form PTO-1449 be considered and that such consideration be

MATCH & RETURN

indicated on the record in the present application. The action requested with respect to these ISR references is in accordance with the following provision of §1893.03(g) of the Manual of Patent Examining Procedure:

When all the requirements for a national stage application have been completed, applicant is notified (Form PCT/DO/EO/903) of the acceptance of the application under 35 U.S.C. §371, including an itemized list of the items received. The itemized list includes an indication of whether a copy of the International Search Report and copies of the references cited therein are present in the national stage file. The examiner will consider the documents cited in the International Search Report, without any further action by applicant under 37 CFR §1.97 and 1.98 when both the International Search Report and copies of the documents are indicated to be present in the national stage file. The examiner will note the consideration in the first Office Action [emphasis added].

The Notice of Acceptance Under 35 U.S.C. 371 and 37 C.F.R. 1.494 (copy attached) in this application indicates that both the ISR and copies of the references cited therein are present in the official file.

Furthermore, Myers et al. (WO 96/39859) which is an ISR reference, is mentioned in the comments under the heading "Allowable Subject Matter" in the November 6, 2002 Official Action. The context in which Myers et al is mentioned, indicates that the Examiner has considered the ISR references. In any event, the requirement that the Examiner consider these references is clear in the above-quoted MPEP section. Accordingly, the Examiner is respectfully requested to confirm that the ISR references have been duly considered by initializing and returning a copy of the attached Form PTO-1449 to the undersigned.

In the event any fee is due in connection with the consideration of this request, the Commissioner is authorized to charge any such fee to the account of the undersigned attorneys,

Deposit Account No. 04-1406. A duplicate of this paper is enclosed

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By

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INFORMATION DISCLOSURE STATEMENT



Application Number: 09/914,224

Filing Date: August 23, 2001

First Named Inventor: Peter S.J. Cheetham, et al.

Group Art Unit: 1761

Examiner Name: Keith D. Hendricks

Sheet 1 of 1

Attorney Docket No. 0380-P02653US0

UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B1	2 301 103	GB	11/27/1996	Danisco A/S
	B2	0 885 968	EP	12/23/1998	Givaudan-Roure Int., S.A.
	B3	0 857 789	EP	08/12/1998	Kyowa Hakko Kogyo Co., Ltd.
	B4	WO 94/13614	WO	06/23/1994	Quest Int. B.V.
	B5	WO 94/02621	WO	02/03/1994	V. Mane Fils S.A.
	B6	WO 96/08576	WO	03/21/1996	I.N.R.A.
	B7	WO 96/39859	WO	12/19/1996	Zylepsis Ltd.

OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	FAULDS, C.B. et al. "Release of Ferulic Acid from Wheat Bran by a Ferulic Acid Esterase (FAE-III) from Aspergillus Niger"; Applied Microbiology and Biotechnology, 43(6) 1082-1087 (1995)

EXAMINER'S
SIGNATURE

DATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.